

**RECEIVED  
CENTRAL FAX CENTER****MAY 23 2005**

Attorney's Docket No. 034848/276723

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Bentley *et al.*  
Appl. No.: 10/813,601  
Filed: March 30, 2004  
For: STERICALLY HINDERED POLY(ETHYLENE GLYCOL) ALKANOIC ACIDS  
AND DERIVATIVES THEREOF

Confirmation No.: 4382  
Group Art Unit: 1711  
Examiner Truong, Duc

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(e)**

I, Christopher M. Humphrey, am an attorney of record of the disclaimant, Nektar Therapeutics AL, Corporation, and am authorized to execute this disclaimer on behalf of Nektar Therapeutics AL, Corporation. The disclaimant, Nektar Therapeutics AL, Corporation, having a principal place of business at 490 Discovery Drive, Huntsville, Alabama 35806, is the owner of all right, title, and interest in the above-identified application, by Assignment recorded November 18, 2002 (Reel 013493, Frame 0913) and Change of Name recorded March 4, 2003 (Reel 013467, Frame 0564).

The disclaimant hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of United States Patent No. 6,495,659, issued December 17, 2002, entitled *Sterically Hindered Poly(Ethylene Glycol) Alkanoic Acids and Derivatives Thereof*, which patent was assigned to the above-identified disclaimant by Assignment recorded November 18, 2002 (Reel 013493, Frame 0913) and Change of Name recorded March 4, 2003 (Reel 013467, Frame 0564).

Disclaimant further agrees that any patent so granted on the above-identified application, which is the subject of this disclaimer, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,495,659, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

Nothing herein shall be construed as a disclaimer of any terminal part of any patent granted on the above-identified application which is prior to the expiration of the full statutory term of U.S. Patent No. 6,495,659 in the event that it later expires for failure to pay a

RTA01/2181032v1

In re: Bentley *et al.*

Appl. No.: 10/813,601

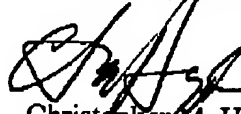
Filing Date: March 30, 2004

Page 2

---

maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(c), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully submitted,



Christopher M. Humphrey  
Registration No. 43,683

Date: 5/23/05

Customer No. 00826  
ALSTON & BIRD LLP  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Raleigh Office (919) 862-2200  
Fax Raleigh Office (919) 862-2260